

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

In re: Roman, Deborah

Debtor(s).

Chapter: 13

Case Number: 13-52734

Judge: Walter Shapero

**AMENDED APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF PRE-
CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE
THROUGH CHAPTER 13 PLAN PURSUANT TO L.B.R. 9014-1 (E.D.M.) AND L.B.R.
2016-1 FROM SEPTEMBER 26, 2013 TO OCTOBER 13, 2014**

NOW COMES LINNELL & ASSOCIATES, PLLC, attorney for Debtor herein, and moves this Honorable Court as follows:

- 1a. The total amount of fees requested in this fee application are **\$7,060.00**
- 1b. The total amount of expenses sought are **\$271.00**
- 1c. The balance of a retainer on deposit with the applicant remaining after the payment of prior fee awards is **\$0.00**
2. The fees requested are for services rendered from **September 26, 2013 to October 13, 2014.**
3. Pursuant to L.B.R. 2016-1 (E.D.M.) and the fee agreement, the undersigned counsel for Debtors in summary, provided the following professional services: met with client(s) to discuss Chapter 13 vs. Chapter 7; had multiple meetings with the Debtors; prepared Chapter 13 petition; prepared Chapter 13 checklist; prepared fee agreement; prepared Statement of Social Security Number; prepared bankruptcy petition cover sheet; prepared correspondence to Debtors and creditors; met with clients to prepare chapter 13 plan and schedules; prepared means test; prepared chapter 13 notice; prepared F.R.B.P. 2016(b) statement; reviewed file for income information; prepared correspondence to Trustee's office; prepared the payment order; reviewed

correspondence and pleadings from opposing counsel and the Office of the Chapter 13 Trustee; prepared correspondence to clients; prepared cover sheets for amendments; reviewed file on several occasions; reviewed file notes; had telephone communications with Trustee's office; prepared and filed and noticed objection to proof of secured claim filed; and prepared fee application. The services rendered for, to and on behalf of the Debtor(s) were necessary for the benefit of the debtor to maximize debtors(s) likelihood of successfully completing the Chapter 13 plan and receiving a discharge. For fees and expenses totaling over \$3,500 please see a detailed explanation in Exhibit 10.

4a. There were not any adversary proceedings connected with this case:

5 a. N/A

b. N/A

c. The current status of the case: The Chapter 13 plan has been confirmed on October 10, 2014. The fees do not impact this case as Debtor signed a retainer agreement that allows Counsel to be compensated for services rendered that benefit the Debtor and the estate. Counsel's services benefited both the Debtor and the estate.

6. LINNELL & ASSOCIATES, PLLC performs periodic file reviews every six (6) months to determine the status of the Chapter 13 Plan and identify any potential problems; communicates with clients regularly to update on the status of reviews, remind of document and tax return submission, and request updates on any changes in the status of clients' income and expenses; responds to any communications or inquiries received from the client and performs any further services or actions necessary to facilitate such responses.

7. There are no accrued unpaid administrative expenses as the Trustee receives timely disbursements from the Debtors' Chapter 13 Plan.

8. There are no instances in which an award is sought for the services of more than one professional and paraprofessional.

9. Prior applications were sought and granted on: N/A

10. The Debtor was served with this application at least 7 days prior to the filing. Counsel for Debtor sought approval of these fees, via a letter to the Debtor, prior to the filing of this application. A copy of the Debtor's executed Concurrence is attached. Furthermore, the Debtor was served with this application and notice and has 21 days in which to object if there are any concerns with the services provided and fees requested. Prior to this application, Debtor signed a retainer agreement and 2016(b) statement agreeing to compensate Counsel for services provided in connection with this case.

WHEREFORE, the undersigned counsel for Debtor(s) move for award and approval of pre-confirmation attorney fees and costs in the amount of \$7,060.00 in fees and \$271.00 in costs for a total compensation of \$7,331.00, attorney fees having been reserved in the Order Confirming Plan and Debtor's counsel having previously received \$0.00.

Respectfully submitted,

LINNELL & ASSOCIATES, PLLC

By: /s/ John Swift
John Swift (P73599)
Attorney for Debtor
2804 Orchard Lake Rd., Suite 203
Keego Harbor, MI 48320

Date: 10/24/2014

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

In re: Roman, Deborah

Debtor(s).

Chapter: 13

Case Number: 13-52734

Judge: Walter Shapero

Exhibit 1

**ORDER AWARDING PAYMENT OF PRE-CONFIRMATION ATTORNEY FEES AS AN
ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN PURSUANT TO L.B.R. 9014-1 (E.D.M.)
AND L.B.R. 2016-1 FROM SEPTEMBER 26, 2014 TO OCTOBER 13, 2014**

This matter having come on to be heard upon the application of the attorney for the Debtor(s), all interested parties having been served with notice of the application and the provisions of L.B.R. 9014-1 and 2016-1 (E.D.M.) having been met, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED:

1. The Court approves applicant's fees and expenses as follows:

Prior award for Fees	\$ 0.00
Prior award for Costs:	\$ 0.00
Total award to Date:	\$ 0.00
This award for Fees:	\$ 7,060.00
This award for Costs:	\$ 271.00
Total this award:	\$7,331.00
Amount paid directly by Debtor(s)	\$ 0.00
Balance to be paid from Chapter 13 Trustee	\$ 7,331.00
GRAND TOTAL FEES AND COSTS	\$7,331.00

2. This award covers services rendered and expenses incurred from September 26, 2013 through October 13, 2014.
3. Debtor's(s) counsel shall serve a copy of this Order upon the Chapter 13 Trustee.
4. To the extent that fees and costs pursuant to this Order are not disbursed by the Chapter 13 Trustee, they shall be paid directly by the Debtor(s) following dismissal.

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

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Exhibit 2

Not applicable as an Order Approving the Employment of LINNELL & ASSOCIATES, PLLC is required or entered with the court.

EXHIBIT 3

United States Bankruptcy Court Eastern District of Michigan

In re Deborah Marie Roman

Debtor(s)

Case No. _____
Chapter 7

STATEMENT OF ATTORNEY FOR DEBTOR(S) PURSUANT TO F.R.BANKR.P. 2016(b)

The undersigned, pursuant to F.R.Bankr.P. 2016(b), states that:

1. The undersigned is the attorney for the Debtor(s) in this case.
2. The compensation paid or agreed to be paid by the Debtor(s) to the undersigned is: [Check one]

<input checked="" type="checkbox"/>	FLAT FEE	
A.	For legal services rendered in contemplation of and in connection with this case, exclusive of the filing fee paid	1,000.00
B.	Prior to filing this statement, received	1,000.00
C.	The unpaid balance due and payable is	0.00
<input type="checkbox"/>	RETAINER	
A.	Amount of retainer received	
B.	The undersigned shall bill against the retainer at an hourly rate of \$ _____. [Or attach firm hourly rate schedule.] Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.	
3. \$ 306.00 of the filing fee has been paid.
4. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including: [Cross out any that do not apply.]

A.	Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
B.	Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
C.	Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
D.	Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
E.	Reaffirmations;
F.	Redemptions;
G.	Other:
5. By agreement with the debtor(s), the above-disclosed fee does not include the following services:
6. The source of payments to the undersigned was from:

A.	<u>XX</u>	Debtor(s)' earnings, wages, compensation for services performed
B.		Other (describe, including the identity of payor) _____
7. The undersigned has not shared or agreed to share, with any other person, other than with members of the undersigned's law firm or corporation, any compensation paid or to be paid except as follows:

Dated: June 27, 2013

/s/ Erik C. Stein

Attorney for the Debtor(s)
Erik C. Stein P72172
Aronoff & Linnell, PLLC
2804 Orchard Lake Rd, Suite 203
Keego Harbor, MI 48320
(248) 977-4182 erik@aronofflinnell.com

Agreed: /s/ Deborah Marie Roman
Deborah Marie Roman
Debtor

Debtor

ARONOFF & LINNELL

A Professional Limited Liability Company

Attorneys and Counselors at Law

2804 Orchard Lake Road, Suite 203
Keego Harbor, Michigan 48320

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Fax (248) 232-6179

www.aronofflinnellaw.com

CHAPTER 13 BANKRUPTCY RETAINER AGREEMENT

This Retainer Agreement is an Addendum of the Initial Consultation Agreement signed by Client and the Firm on: October 10, 2013.

The undersigned Client employs and retains Aronoff & Linnell, PLLC ("the Firm") to represent client in a Chapter 13 Bankruptcy. In consideration for Attorney agreeing to represent Client:

1. Client agrees to pay Attorney a minimum fee of \$ 3500.00 (base fee is non-refundable). At the the Firm's option, the Firm may charge on a hourly basis pending a fee application at the hourly rates of \$160.00-\$220.00/hour. Client agrees to pay the Firm any and all parts of the Firm's fee as an administrative expense as part of Client's Chapter 13 Plan.

Initial retainer \$ 0.00

Balance \$ 0.00 (Estimated balance pending fee application)

Client is responsible for a separate filing fee of \$281.00.

Attorney must receive a minimum of \$500.00 before filing any case with the Court.

The above fee quotation is valid for no more than 30 days from the date of the delivery of this agreement to Client by the Firm.

The Minimum fee shall entitle Client to the following services: one consultation; preparation and filing of the bankruptcy petition; appearance at one Creditors Meeting and one Confirmation Hearing.

2. **Legal Services NOT Provided:** The following services are not provided by the Firm unless the Firm and Client enter into a separate retainer agreement: representation in any adversary proceedings, including those for the stripping of mortgage liens, and/or objections to discharge arising for fraud, credit card abuse, false financial statement, or any and all exceptions to discharge under Bankruptcy Code §523; representation in any matters related to audits conducted by the Office of Audits pursuant to 28 U.S.C. §586(f)(1); representation for motions to compel abandonment or motion to avoid judicial liens on real or personal property; representation of any type for federal or state tax advice, opinion, negotiation, or any matters pertaining to the discharge of any tax under any state or federal law; or services related to any extraordinary contested matters under Rule 9014 of the Rules of Bankruptcy Procedure.

3. **Additional Legal Services:** Additional legal services not provided for in this agreement must be negotiated and a new agreement will be executed between the Client and the Firm. If the Firm agrees to represent Client in any additional matters, the Firm will charge Client a reasonable fee for the Firm's services based on the nature of the service and the amount of time expended. Any separate agreement for services not included in Paragraph One (1) will be subject to approval of the Bankruptcy Court upon application.
4. **Representation Verification:** The Firm will not verify representation of Client to inquiring Creditors until \$500.00 of Client's attorney fee retainer has been paid and will then verify representation only in response to written inquiries.
5. **Additional Fees:** Client agrees to pay the following additional fees, if necessary, in addition to the above fee for each of the following services to be paid to Attorney.
 - a. **Failure to attend 341 Hearing** (Meeting of Creditors):
 - i. Prepare and file Motion to Reschedule hearing and/or appearance at hearing on Motion if required **\$150.00**
 - ii. Appearance at rescheduled 341 Hearing **\$250.00**
 - b. Amendment to petitions after filing, caused by Client providing attorney with new or corrected information (plus court filing fee, if any) after commencement of case but no sooner than 15 days prior to 341 Hearing **\$125.00**
 - c. Attendance by Attorney at a Motion to Dismiss Case for Failure to Pay (includes preparing filing required for responsive pleadings with the Court and service of said response on appropriate parties and Trustee **\$250.00**
 - d. Retainer for conversion of case to Chapter 7 **\$700.00**
(This includes preparation of appropriate documents and attendance at Chapter 7 Court Hearing.)
 - e. **GARNISHMENT:** Should Debtor request Attorney to attempt to recover any garnished funds Attorney shall be entitled to 1/3 of all such recovered funds.
 - f. Reinstatement of Case if Dismissed for Failure to File Debtor Education Certificate (successful outcome not guaranteed): **\$300.00 + additional court filing-fee of \$274.00 or more.**
 - g. **POST-PETITION REFINANCE AND PAYOFF OF CASE** minimum \$1,000.00
 - h. **Motion to Extend Time to File Schedules** **\$250.00**
 - i. **Credit Report Retrieval:** **\$ 50.00** (in advance of filing)
3. Client agrees to pay ARONOFF & LINNELL, PLLC an hourly rate as attached in addition to the minimum fee for any representation subsequent to confirmation of the Plan, subject to yearly increases as allowed by the Court.
4. Client and Attorney have agreed that \$1000 of the Firm's fee shall be distributed to the Firm after confirmation by Trustee from funds paid into Plan by Client. If Plan is not confirmed for any reason at all Client agrees that any funds returned by Trustee shall be sent to Attorney, up to the

balance due under Client's Plan. Client remains personally responsible for any fees not paid by Trustee.

5. There will be a \$50.00 additional fee for any personal checks returned for non-sufficient funds. Attorney will be compensated for all Court costs, collection fees and costs incurred in any collection proceedings, which may become necessary as a result of the Debtors failure to pay or otherwise adhere to this retainer agreement.
6. Client understands that no earned portion of any fees paid are refundable.
7. Client further agrees to reimburse the Firm for all court costs and other expenses, **INCLUDING BUT NOT LIMITED TO** postage costs, copying fees, and facsimile costs, which may be advanced by the Firm in connection with the case.
8. Client understands that Base Fee is contingent upon the filing of a Fee Application with hourly rates as listed in Paragraph One (1), which is current as of the date of this agreement. Client understands that these hourly rates are subject to change.
9. **Disclaimer of Guarantee:** Client recognizes, understands, and acknowledges that nothing in this Agreement and nothing in the Firm's statements to Client will be construed as a promise or guarantee regarding the success or outcome of the Client's case. The Firm makes no such promises or guarantees.
10. **Withdrawal of Representation:** The Firm may withdraw its representation at any time at its discretion. Specific bases for withdrawal of representation are: breakdown of attorney-client relationship in any way, including discourtesy to Firm employees or lack of communication with the Firm for more than 30 consecutive days prior to confirmation of Client's Chapter 13 Plan, failure to pay funds owed and invoiced after a period of seven (7) days, and a willful lack of disclosure of all of Client's assets and liabilities and any other information required by the Firm in the prosecution of Client's case. Any statement, suggestion or intimation by Client that personal assets will be moved, transferred, or otherwise hidden prior to the filing of Client's bankruptcy petition will result in an immediate Withdrawal of Representation.
11. It is further agreed that should Client decide not to file a bankruptcy petition that any attorney and filing-fees paid to the Firm prior to the filing of the bankruptcy petition will be retained by the Firm to the extent of the services that have been provided.

I(We) read this contract and received a copy of it, I(we) agree to its terms and conditions, there are not additional agreements, oral or otherwise, between me (us) and the Firm.

Date: 10-10-13

Date: 10-11-13

Date: _____



ATTORNEY



DEBTOR

JOINT DEBTOR

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
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Exhibit 4

Attorney Hourly Rate

NOW COMES JOHN SWIFT, attorney or Debtor(s) herein, and respectfully declares the following:

1. That Erik C. Stein performed services as defined by the following breakdown:

Name of Attorney	Hourly Rate	Total Hours Spent	Amount Sought
Erik C. Stein	\$200.00	29.7	\$4,991.60
Blended rate	\$168.07		\$4,991.60

Name of Legal Assistant	Hourly Rate	Total Hours Spent	Amount Sought
Tracey Berry	\$54.32	37	\$2,010.00

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**Exhibit 5
WORK PERFORMED**

Date	Time	Total	Description
ERIK C. STEIN – CASE ADMINISTRATION			
09/26/2013	0.3	\$60.00	Reviewed client's concerns with Ch. 13 Plan and Conversion.
10/03/2013	0.3	N/C	Reviewed correspondence from Seterus RE account summary.
10/10/2013	0.9	N/C	Reviewed Ch. 7 Petition. Revised Ch. 13 Plan. Fwd to client for review.
10/11/2013	0.1	N/C	Email to client RE Notice of Conversion and Fee Agreement.
10/11/2013	0.2	\$40.00	Phone call from client RE conversion.
10/11/2013	0.1	N/C	Email from client RE concerns with Ch. 13.
10/24/2013	0.1	N/C	Reviewed Letter from Seterus RE client's mortgage. Indicates interest rate, etc.
10/25/2013	0.2	\$40.00	Phone call to Atty Katz RE garnished funds. Email sent to client.
10/25/2013	0.2	\$40.00	Responded to client's email RE conversion
11/19/2013	0.3	N/C	Drafted Certificate of Non-Response for Motion for Conversion. Filed via ECF with Proposed Order.
11/25/2013	0.1	N/C	Received and Reviewed Notice of Periodic Loan Changes
12/11/2013	0.2	\$40.00	Email from client requesting update. Response sent with copy of Chapter 13 Plan for client approval.
12/12/2013	0.1	N/C	Filed Chapter 13 Plan via ECF with POS.
12/12/2013	0.4	\$80.00	Email from client with concerns about case. Phone call with client. Updated client on case status.
12/16/2013	0.2	N/C	Draft Payment Order. Submitted via ECF.
12/30/2013	0.2	\$40.00	Draft Form 22C
01/02/2014	0.1	\$20.00	Follow up email sent to client RE Form 22C and Motion for Reinstatement.
01/03/2014	0.8	\$160.00	Email to Client with Order Reinstating case. Informed client of new 341 Meeting and New Confirmation Hearing dates. Drafted Motion, Notice of Motion, and Certificate of Service RE Reimposing Automatic Stay Against Seterus. Emailed sent to OC RE 9014-1 (g).
01/06/2014	0.1	N/C	Filed Motion to Reimpose Automatic Stay filed via ECF.
01/28/2014	0.2	\$40.00	Email to client RE additional documents requested and reminding her of upcoming deadlines.
01/31/2014	0.5	\$100.00	Email from client with recent garnishment info. Drafted demand for return of funds from Atty Kartz. Mailed via certified mail. Timeline established to 2/14/2014.

01/31/2014	0.2	\$40.00	Phone call from Client RE update on factual circumstances.
02/03/2014	0.7	\$140.00	Prepared Amended Plan and Schedules. Emailed documents to client for review prior to signing.
02/04/2014	0.1	N/C	Filed Amended Schedules via ECF.
02/04/2014	0.2	\$40.00	Email from client with signatures. Had to amend expense and re-submit to client for signatures and execution.
02/05/2014	0.1	N/C	Email to client requesting signature on amended plan. Re-attached first amended plan.
02/24/2014	0.5	N/C	Review Motion for Return of Funds, Violation of Automatic Stay.
02/27/2014	0.1	N/C	Returned phone call to Jason Katz. VMM left RE preference payment.
03/18/2014	0.4	N/C	Filed Amended Plan, Motions, CHC via ECF. Sent OCP to trustee via email.
03/18/2014	1.5	\$300.00	Revised Amended Plan. Draft Motion for Reconsideration, Draft Motion for Expedited Hearing, Draft CHC, Draft Proposed OCP. Drafted Amended Plan. Sent to client for approval.
03/20/2014	0.1	N/C	Email to client with filed docs and status update on confirmation.
03/24/2014	0.1	N/C	Phone call to client RE Confirmation.
03/24/2014	0.3	\$60.00	Phone call to client RE confirmation and pay history
04/07/2014	0.3	N/C	Reviewed supporting doc and submitted to client
06/09/2014	2.8	\$560.00	Adjourned Confirmation Hearing.
09/02/2014	0.1	N/C	Email from Client
09/03/2014	0.1	N/C	Email to Client.
09/18/2014	0.1	\$20.00	Email to client RE Amended Schedules E and F.
09/18/2014	0.3	\$60.00	Revisions made to Schedules E and F.
09/19/2014	0.1	N/C	Email exchange with Client RE missing attachment (Amended Schedules E and F).
09/22/2014		\$30.00	Court fees - Filing Fee for Amendments.
09/22/2014	0.5	N/C	Submitted OCP to Ch 13 Trustee. Filed Stipulation to Amend Wage Order and Proposed Order via ECF.
09/22/2014	0.1	N/C	Email to Client RE amended schedules.
09/22/2014	0.1	N/C	Internal email to T. Berry RE Ally Financial.
09/29/2014	0.8	\$160.00	Travel time Keego Harbor to Detroit. Confirmation Hearing.
09/29/2014	1.5	\$300.00	Confirmation Hearing. Confirmation granted with conditions RE OCP.
10/06/2014	0.5	\$100.00	Adjourned confirmation hearing.
12/30/2014	0.3	\$60.00	Email to client RE Dismissal and Form 22C and Motion for Reinstatement.

TRACEY BERRY – CASE ADMINISTRATION

10/11/2013	0.5	\$100.00	Draft Notice of Conversion from Ch.7 to Ch.13. Revised case with new numbers client provided. Email to client.
12/13/2013	0.3	N/C	Manage data/files/documentation
12/16/2013	0.2	N/C	Manage data/files/documentation
12/17/2013	0.8	N/C	Manage data/files/documentation
12/27/2013	0.4	N/C	Manage data/files/documentation
01/03/2014	0.4	\$40.00	Email from client RE her intentions to retain home and vehicles.
01/03/2014	0.3	N/C	Manage data/files/documentation
01/06/2014	0.2	N/C	Processed docs received - client provided current paystubs and signed Means Test.
01/13/2014	0.1	N/C	Manage data/files/documentation

01/22/2014	1	N/C	Reviewed 341 Hearing Status Sheet; missing 2848 Form. Redacted and uploaded 341 docs to trustee. Prepared docket for 341 Hearing.
01/27/2014	0.3	N/C	Call to trustee confirming required docs. Completed form 2848 located on trustee's website.
01/31/2014	0.7	\$70.00	Draft letter requesting the return of funds garnished - mailed to attorney - cc' d copy to client
02/04/2014	0.5	\$50.00	Follow up email to client RE docs requested by trustee. Called trustee to request an extension to file Schedules and Plan.
02/10/2014	0.3	N/C	Client provided most recent paystub, uploaded to trustee
02/20/2014	1.1	N/C	Online Legal Research - Violation of the Automatic Stay
03/06/2014	0.4	\$40.00	Call from client RE Foreclosure and \$13,000 payment Bank is requesting
03/06/2014	0.6	N/C	Email to client RE refund of funds received from Katz. Processed mail; client provided proof of income and baby receipts.
03/07/2014	0.1	N/C	Email from Client RE Foreclosure Notice she received.
03/11/2014	0.1	N/C	Manage data/files/documentation
03/18/2014	0.1	N/C	Communicate (with client)
03/20/2014	0.2	N/C	Manage data/files/documentation
03/21/2014	1.4	\$280.00	Communicated with Chapter 13 Trustee - revised Schedules I & J.
03/24/2014	0.7	N/C	Communicated with Client RE Confirmation, Automatic Stay.
03/24/2014	0.1	N/C	Manage data/files/documentation
03/25/2014	0.5	N/C	Email from Client RE garnished funds.
03/28/2014	0.4	\$40.00	Conference call with client and Orlans (Shannon) RE Foreclosure
04/01/2014	0.4	\$40.00	Reviewed mortgage assistance package received from Seterus. Draft cover letter fwd to client.
04/02/2014	0.1	\$10.00	Email from client RE receipt for payment made to trustee
04/04/2014	0.6	\$60.00	Manage data/files/documentation
04/07/2014	0.7	\$70.00	Email from client RE home mortgage. Consulted with BL & AD. Responded to client's email.
04/09/2014	0.2	N/C	Received Notice of Hearing RE Mortgage Co.'s Objection to Client's Motion to Reopen Case. Added to calendar. Notified client.
04/28/2014	0.1	N/C	Fax from client RE paperwork from her employer which ECS requested. Fwd to ECS.
05/09/2014	0.1	\$10.00	Call from client RE Orlans increasing the payment amount to bring account current
05/12/2014	0.2	\$20.00	Call from client RE letter she received from IRS
05/13/2014	0.1	N/C	Phone Consult with Client RE case reinstatement.
05/15/2014	0.4	\$40.00	Call from client RE contacting Seterus and Credit Corp
05/19/2014	0.2	\$20.00	Added creditor to Sch E.
06/05/2014	0.2	N/C	Communicated with client RE signing paperwork
06/09/2014	0.2	N/C	Processed Scheduling Order
06/11/2014	0.3	\$30.00	Email to client - Notice of hearing adjournment and Court Order to bring Ch. 13 Plan payments current
07/16/2014	0.1	N/C	Communicated with opposing counsel.
07/16/2014	0.5	N/C	Manage data/files/documentation
07/17/2014	0.2	\$20.00	Call from client RE case status.
07/21/2014	0.2	N/C	Draft CHC. Filed via ECF.
09/24/2014	0.1	N/C	Manage data/files/documentation

10/02/2014	1.2	N/C	Manage data/files/documentation. Inputting times into PM
10/03/2014	0.6	N/C	Manage data/files/documentation
10/07/2014	3.3	N/C	Project Management
10/08/2014	0.9	N/C	Manage data/files/documentation
10/09/2014	0.1	N/C	Manage data/files/documentation
10/09/2014	2.1	N/C	Imported time from Office Time to PM.
10/09/2014	0.1	N/C	Processed mail - Letter from Trustee RE Payment Order being submitted to Kroger
10/10/2014	0.1	N/C	Processed receipt for Amendments

TOTAL: \$3,990.00

Date	Time	Total	Description
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ADVERSARY PROCEEDINGS

TOTAL: \$0.00

Date	Time	Total	Description
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ERIK C. STEIN – PLAN ADMINISTRATION

03/17/2014	0.2	\$40.00	Drafted Amended Plan. Sent to client for approval.
03/18/2014	1	\$200.00	Reviewed Objection filed by Seterus. Phone call to Counsel. Phone call to client.
03/21/2014	0.2	N/C	Drafted and filed POS for Amended Plan.
03/24/2014	2.5	\$500.00	Confirmation Hearing / Motion for Reconsideration of Relief from Automatic Stay
09/30/2014	0.1	N/C	Email to H. McGivern with revised OCP.
09/30/2014	0.3	\$60.00	Revised OCP for submission to Chapter 13 Trustee.
09/30/2014	0.1	N/C	Revised OCP emailed to Chapter 13 Trustee.
09/30/2014	0.1	N/C	Email from H. McGivern approving revised OCP.
10/01/2014	0.2	N/C	Emails with L. Cachia RE OCP.
10/01/2014	0.1	N/C	Email exchange with H. McGivern RE OCP.
10/01/2014	0.1	N/C	Emails from H. McGivern RE revised OCP.
10/02/2014	0.2	\$40.00	Corrections made to OCP pursuant to Chapter 13 Trustee request. Email to H. McGivern with revised OCP language.
10/02/2014	0.1	\$20.00	Email from Chapter 13 Trustee RE changes requested to OCP.
10/02/2014	0.1	N/C	Emails with Chapter 13 Trustee RE revised OCP.
10/02/2014	0.1	N/C	Emails with H. McGivern RE revised OCP.

TRACEY BERRY – PLAN ADMINISTRATION

07/8/2014	1	N/C	Reviewed new plan numbers; communicated with client
07/16/2014	1.1	\$110.00	Revised Plan. Submitted Stip & Order to OC for Adj.

TOTAL: \$970.00

Date	Time	Total	Description
CLAIM ADMINISTRATION			
TRACEY BERRY – CLAIM ADMINISTRATION			
06/02/2014	0.1	N/C	Communicated with opposing counsel with on mortgage deficiency.

TOTAL: \$0.00

Date	Time	Total	Description
ERIK C. STEIN – 341 MEETING / 2004 EXAMINATION			
01/28/2014	1.6	\$320.00	341 Meeting - Detroit
01/28/2014	1.6	\$320.00	341 Meeting - Driving timeBillable Travel Time
02/11/2014	2.1	\$420.00	341- Drive time from Keego Harbor to Detroit (roundtrip)
03/11/2014	1	\$200.00	Second 341 Hearing - Consultation with client.

TRACEY BERRY – 341 MEETING / 2004 EXAMINATION

01/27/2014	0.5	N/C	Email from client RE 341 hearing. Revised Form 2848, fwd to ECS.
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TOTAL: \$1,260.00

Date	Time	Total	Description
ERIK C. STEIN – MISC MOTIONS			
04/02/2014	0.5	\$100.00	Draft and prepare Order RE Motion for Reconsideration.

TRACEY BERRY – MISC MOTIONS

12/10/2013	1.4	\$140.00	Online Research - Draft Motion to Convert - Filed Motion
02/21/2014	3.7	N/C	Draft Complaint requesting the turnover of funds garnished
02/24/2014	0.1	N/C	Fwd Complaint requesting the turnover of funds to ECS for review
04/28/2014	3	\$300.00	Court Hearing RE Motion to Reinstate Case.
05/15/2014	1.1	N/C	Communicated with Client RE hearing on case reinstatement, administration of Chapter 13 Plan.

TOTAL: \$540.00

Date	Time	Total	Description
ERIK C. STEIN – FEE APPLICATION			
10/13/2014	FLAT FEE	CH 13 – FEE APPLICATION	<i>Prepared Fee Application for Pre-Confirmation Fees and Costs.</i>

TOTAL: \$300.00

TOTAL FEES: \$7,060.00

Project Category	Total Hours Spent	Dollars Sought
Case Administration	42.5	\$3,990.00
Adversary Proceeding	0.00	\$0.00
341 Meeting & 2004 Exam	6.8	\$1,260.00
Plan Administration	7.5	\$970.00
Claim Administration	0.1	\$0.00
Misc. Motions	9.8	\$540.00
Fee application preparation	Flat Rate	\$300.00
TOTAL		\$7,230.00

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

In re: Roman, Deborah

Chapter: 13

Case Number: 13-52734

Debtor(s).

Judge: Walter Shapero

Exhibit 6

ATTORNEY'S BIOGRAPHICAL STATEMENT IN SUPPORT OF APPLICATION FOR FEES

LINNELL & ASSOCIATES, PLLC, ERIK C. STEIN, submits the following brief biographical statement in support of its Application for Attorney Fees as follows:

ERIK C. STEIN

Experience

- Attorney, Linnell & Associates, PLLC, 09/2012 - Present
- Managing Principal Attorney, Erik C. Stein, Attorney at Law, 12/2008 – 09/2012

Education

- B.A. Political Theory and Constitutional Democracy, Michigan State University, East Lansing, MI, 2005
- B.A. History, Michigan State University, East Lansing, MI, 2005
- J.D., University of Toledo College of Law, Toledo, OH, 2008

Associations

- Michigan Bar Association, 2008 – Present
- National Association of Consumer Bankruptcy Attorneys, 2012- Present
- Federal Bar Association, 2012 – Present
- Consumer Bar Association, 2012- Present
- American Bankruptcy Institute, 2013-Present
- Access to Bankruptcy Court; 2013-Present
- Debtor / Creditor Committee Member, Oakland County Bar Association, 2014 - Present

Admitted To Practice

- State Bar of Michigan, 2008
- Federal Eastern District of Michigan, 2009
- Federal Northern District of Ohio, 2010
- United States Tax Court, 2013

Areas of Legal Concentration

- Consumer Bankruptcy, Debtor Rights and Insolvency, Criminal Defense, Domestic Relations, Tax

Continuing Legal Education

- ICLE Family Law Institute, 11/2011, 11/2012, 11/2013
- ABI Midwestern States Bankruptcy Conference, 6/2013
- Detroit Consumer Bankruptcy Conference 11/2012, 11/2013
- ICLE Annual Tax Conference, 5/2013

TRACEY BERRY**Experience**

- Paralegal, Linnell & Associates, PLLC, 11/2013– Present
- Paralegal, Jaafar and Mahdi Group, P.C., 8/2010

Education/Training

- Bachelor of Business Administration, Baker College
- Associates of Business, Paralegal, Baker College

Areas of Legal Concentration

- Consumer Bankruptcy, Real Estate, and General Litigation

Continuing Legal Education

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

In re: Roman, Deborah

Debtor(s).

Chapter: 13
Case Number: 13-52734
Judge: Walter Shapero

Exhibit 7

ITEMIZED STATEMENT OF EXPENSES

POSTAGE

12/17/2013	\$11.04	Postage
02/03/2014	\$0.48	Postage
03/06/2014	\$0.48	Postage
03/21/2014	\$11.04	Postage .48x23
04/01/2014	\$0.90	Postage
04/04/2014	\$11.04	Postage .48 x 23
07/16/2014	\$12.00	Postage

MILEAGE

01/28/2014	\$29.34	Mileage
02/11/2014	\$29.34	Mileage
09/29/2014	\$16.80	Mileage to Confirmation Hearing. Keego Harbor to Detroit.
10/02/2014	\$33.04	Mileage
10/06/2014	\$33.60	Mileage round trip from Keego Harbor to Detroit. Confirmation Hearing

PARKING

01/28/2014	\$10.00	Parking
02/11/2014	\$10.00	Parking
04/28/2014	\$15.00	Parking
06/09/2014	\$2.50	Parking
09/29/2014	\$5.00	Parking Confirmation Hearing. Detroit.
10/06/2014	\$10.00	Parking - Confirmation Hearing

MISC EXPENSES

TOTAL: \$271.00

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

In re: Roman, Deborah

Debtor(s).

Chapter: 13

Case Number: 13-52734

Judge: Walter Shapero

Exhibit 8

**NOTICE OF APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF PRE-CONFIRMATION
ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN**

Aronoff & Linnell, PLLC, John Swift, attorney for debtors herein have filed papers with the court for AWARD AND APPROVAL OF PAYMENT OF PRE-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN.

<u>Fees Requested:</u>	\$7,060.00
<u>Expenses Requested:</u>	\$271.00
<u>Balance of Retainer left on deposit:</u>	\$0.00
<u>Time Period:</u>	September 26, 2013 to October 13, 2014

PLEASE NOTE: The application is available for public review at the Clerk's Office, 111 First Street, Bay City, MI, 226 West Second Street, Flint, MI, 211 West Fort Street, Detroit, MI, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF PRE-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN, or if you want the court to consider your views on the application, within TWENTY-ONE (21) days from the date of service of this application, you or your attorney must:

- I. File a written response or an answer explaining your position with¹:
United States Bankruptcy Court
211 West Fort Street
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the TWENTY FIRST (21st) day from the date of service of this application.

You must also mail a copy to:

Linnell & Associates, PLLC, 2804 Orchard Lake Rd, Suite 203, Keego Harbor, MI 48320
Tammy Terry, Chapter 13 Trustee, 535 Griswold St, Ste 2100, Detroit, MI 48226

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Respectfully submitted,

LINNELL & ASSOCIATES, PLLC
By: /s/ John Swift
John Swift (P73599)
Attorney for Debtor
2804 Orchard Lake Rd., Suite 203
Keego Harbor, MI 48320

Date: 10/24/2014

¹Response or answer must comply with F.R.Civ.P. 8(b), (c), (d) and (e).

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

In re: Roman, Deborah

Debtor(s).

Chapter: 13

Case Number: 13-52734

Judge: Walter Shapero

Exhibit 9

PROOF OF SERVICE

John Swift certifies that on October 24, 2014, he did electronically file APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF PRE-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN PURSUANT TO LBR 9014-1(E.D.M.) AND LBR 2016-1 FROM SEPTEMBER 23, 2013 THROUGH SEPTEMBER 2, 2014, ATTORNEYS' BIOGRAPHICAL STATEMENT IN SUPPORT OF APPLICATION FOR FEES, NOTICE OF APPLICATION with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Tammy Terry
Chapter 13 Trustee

and I hereby certify that I have mailed by United States Postal Service the above papers to the following non-ECF participants:

SEE ATTACHED MATRIX

Respectfully submitted,

LINNELL & ASSOCIATES, PLLC

By: /s/ John Swift
John Swift (P73599)
Attorney for Debtor
2804 Orchard Lake Rd., Suite 203
Keego Harbor, MI 48320

Date: 10/24/2014

del Matrix for local noticing
45-2
se 13-52734-wsd
stern District of Michigan
troit
n Oct 13 15:14:41 EDT 2014

ly Financial
tn: Bankruptcy
Box 130424
seville, MN 55113-0004

Fed Cu
07 N Detroit Ave
ledo, OH 43612-1309

ch Llc/Square Two Financial
tention: Bankruptcy
40 South Monaco St. 2nd Floor
nver, CO 80237-3485

nenity Bank/ESN
tn: Bankruptcy
Box 183686
lumbus, OH 43218

MC
BOX 16408
PAUL, MN 55116-0408

ternal Revenue Service
Box 7346
iladelphia, PA 19101-7346

) PORTFOLIO RECOVERY ASSOCIATES LLC
BOX 41067
RFOLK VA 23541-1067

llie Mae
tn: Claims Department
Box 9500
lkes-Barre, PA 18773-9500

e Bureaus Inc.
tention: Bankruptcy Dept.
17 Central St.
anston, IL 60201-1507

AP Federal Credit Union
c/o Thomas J. Kelley
300 Madison Avenue
Suite 1100
Toledo, OH 43604-1594

American InfoSource LP as agent for
Midland Funding LLC
PO Box 268941
Oklahoma City, OK 73126-8941

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

Chase
Po Box 15298
Wilmington, DE 19850-5298

Credit Acceptance
Attn: Bankruptcy Dept
25505 West 12 Mile Rd Ste 3000
Southfield, MI 48034-8331

GECRB/Gap
Attn: Bankruptcy
Po Box 103104
Roswell, GA 30076-9104

Kyle J. Von Allmen
Shermeta Adams & Von Allmen, P.C.
P.O. Box 5016
Rochester, MI 48308-5016

Quantum3 Group LLC as agent for
Comenity Capital Bank
PO Box 788
Kirkland, WA 98083-0788

Seterus Inc
14523 Sw Millikan Way St
Beaverton, OR 97005-2352

Trustee Payments:
Seterus, Inc.
PO Box 2206
Grand Rapids, MI 49501-2206

AP Federal Credit Union
c/o Thomas J. Kelley
300 Madison Ave., Suite 1100
Toledo, Ohio 43604-2605

Amex Dsnb
Po Box 8218
Mason, OH 45040-8218

Barclays Bank Delaware
Attn: Bankruptcy
P.O. Box 8801
Wilmington, DE 19899-8801

(p)CITIBANK
PO BOX 790034
ST LOUIS MO 63179-0034

Dsnb Macys
Po Box 8218
Mason, OH 45040-8218

Hsbc Bank
Po Box 30253
Salt Lake City, UT 84130-0253

Michigan Department of Treasury
Bankruptcy Unit
PO Box 30168
Lansing, MI 48909-7668
517-241-5002

Quantum3 Group LLC as agent for
Crown Asset Management LLC
PO Box 788
Kirkland, WA 98083-0788

Td Bank Usa/targetcred
Po Box 673
Minneapolis, MN 55440-0673

Wells Fargo Bank NA
PO Box 10438
Des Moines IA 50306-0438

Fin Bank
Attention: Bankruptcy
Box 10438
Des Moines, IA 50306-0438

Zale/cbsd
Attn.: Centralized Bankruptcy
Po Box 20363
Kansas City, MO 64195-0363

Deborah Marie Roman
1018 Oakmont Dr
Temperance, MI 48182-9535

Mark C. Stein
34 Orchard Lake Rd.
Box 203
Harbor, MI 48320-1449

Tammy L. Terry
Buhl Building
535 Griswold
Suite 2100
Detroit, MI 48226-3681

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bank Of America
Attention: Recovery Department
61 Piedmont Pkwy.
Savannah, NC 27410

Citibank Usa
Citicorp Credit Services/Attn:Centralize
Po Box 20507
Kansas City, MO 64195

Portfolio Recovery
Attn: Bankruptcy
Po Box 41067
Norfolk, VA 23541

Portfolio Recovery Associates, LLC
Box 12914
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

Seterus, Inc.

(u)Federal National Mortgage Association (Fan

(u)Daniel M. McDermott

End of Label Matrix
Deliverable recipients 34
Bypassed recipients 3
Total 37

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

In re: Roman, Deborah

Chapter: 13
Case Number: 13-52734
Judge: Walter Shapero

Debtor(s).

Exhibit 10

SUPPLEMENTAL STATEMENT PURSUANT TO RULE 2016-B REGARDING FEES ABOVE \$3,500.00

In accordance with Rule 2016-B, this application for pre-confirmation attorney fees is in excess of \$3,500.00 for the following reasons:

- (1) There were three (3) separate confirmation hearings for this case. The need for multiple confirmation hearings arose because of uncertainty regarding the mortgage held by Seterus on the Debtor's primary residence and treatment of its claim.
- (2) Counsel for Debtors had to file two Amended Chapter 13 Plans on behalf of Debtor.
- (3) Counsel for Debtor prepared, filed, and argued a Motion to Reinstate the Automatic Stay as to Seterus due to imminent foreclosure of the Debtor's primary residence following conversion from Chapter 7 to Chapter 13.
- (4) Counsel for the Debtor prepared, filed, and argued two separate Motions to Reinstate Debtor's case.
- (5) Debtors and counsel had several lengthy consultations regarding this matter, often lasting in excess of one hour.

For the reasons set forth above, Counsel asserts that the fees are reasonable and necessary in light of services performed.

Respectfully submitted,

LINNELL & ASSOCIATES, PLLC

By: /s/ John Swift
John Swift (P73599)
Attorney for Debtor
2804 Orchard Lake Rd., Suite 203
Keego Harbor, MI 48320

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

In re: Roman, Deborah

Debtor(s).

Chapter: 13
Case Number: 13-52734
Judge: Walter Shapero

PROPOSED CERTIFICATION OF NON-RESPONSE PURSUANT TO L.B.R. 9014-1 (E.D.M.)

John Swift, being first duly sworn deposes and says that he is the attorney of record for the within Debtor(s) and that a copy of the NOTICE OF APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF PRE-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN has been served, that more than TWENTY ONE (21) days have elapsed since that service and that he has received neither oral nor written objections to the entry of said Order from any interested party.

Furthermore, deponent sayeth not.

Respectfully submitted,

LINNELL & ASSOCIATES, PLLC

By: /s/ John Swift
John Swift (P73599)
Attorney for Debtor
2804 Orchard Lake Rd., Suite 203
Keego Harbor, MI 48320

Date: